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OFFICE OF PETITIONS

MEM0042US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wilfried Van Moorleghe	)	
	)	Group Art Unit: 3732
Serial No.: 09/313,013	)	
	)	Examiner: Nicholas D. Lucceshi
Filed: May 17, 1999	)	
	)	
For: Medical Instruments and Devices	)	Confirmation: 3318
And Parts Thereof Using Shape Memory	)	

**NOTIFICATION OF LOSS OF ENTITLEMENT TO  
SMALL ENTITY STATUS (37 C.F.R. § 1.27(g)(2)) and  
NOTIFICATION OF ERROR IN PAYMENT OF  
FEE(S) AS A SMALL ENTITY (37 C.F.R. § 1.28(c))**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby notifies the Patent and Trademark office that it is no longer entitled to status as a small entity and that the claim for small entity status is hereby withdrawn.

The assertion of small entity status in this 09/313,013/6,375,458 and the payment of fee(s) as a small entity were made in good faith.

It has now been discovered that some fee(s) were erroneously paid as a small entity.

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<u>Fee(s) Erroneously Paid as a Small Entity</u>	<u>Fee Paid as a Small Entity</u>	<u>Current Fee Due</u>	<u>Deficiency Owed</u>
Filing fee paid on <b>January 6, 2010</b>	<b>\$1240.00</b>		<b>\$1610.00</b>
Fee for excess claims (over 20) paid on			
Fee for excess independent claims (over 3) paid on			
Extension of time fee paid on			
The issue fee paid on			
Other			
<b>Total Deficiency Owed</b>			

Applicant hereby requests the Commissioner to removed the status of small entity from the instant application.

The Commissioner is hereby authorized to charge any additional fees required by this paper or credit any overpayments to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

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Date: April 9, 2012